

who are facing great odds and great problems in Afghanistan; what would they think of the way we are operating and acting?

What do the people back home expect us to do? They expect us to get things done. These agencies are operating without any knowledge of whether or not they are going to have funding above this year's level. They don't know. They can't plan for programs and projects that are very important to the American people, very important to this cause in which we find ourselves engaged.

Mr. DASCHLE. Will the Senator from West Virginia be so kind as to yield for a unanimous consent request?

Mr. BYRD. Yes, I yield the floor.

Mr. DASCHLE. I thank the Senator from West Virginia. Again, as Senator LEAHY and others have done, I applaud him and thank him for the admonition he has shared with all of us this morning. The importance of getting these bills cannot be overemphasized. The importance of recognizing this particular bill could not be overemphasized.

We are fighting a war. This is helping fund that war. The longer we delay the funding of that war, the more complicated our circumstances and, frankly, the more problematic, it would seem to me, the message to those on the front lines.

So I applaud the Senator from West Virginia and the Senator from Alaska. I hope we can clarify this matter. I, frankly, do not see the linkage either, and I am not going to be susceptible to that linkage.

The administration has to make its decision about whether it wants these bills completed or not. If they are not prepared to weigh in, there is only so much I can do as well.

We will do the best we can. I thank the chairman of the Judiciary Committee for his work on nominations. He had hearings last week. We are going to have four Judiciary Committee votes on nominations on judges this afternoon—I was prepared to have them this morning—and that would not have happened were it not for the leadership of the Senator from Vermont, who has worked on these matters and I thank him for that.

It is in that regard that I want to propound a unanimous consent request. He is in the Chamber, but I will make sure our colleagues are aware the Republican leader and I have discussed this matter. I would make the request at this time.

UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. DASCHLE. Mr. President, as in executive session, I ask unanimous consent that at 2:15 today the Senate proceed to executive session and consider the following nominations: Calendar Nos. 472 through 475; that the Senate immediately vote on each nominee with the first vote being for the usual time, and subsequent votes being 10 minutes in length; that upon

the disposition of these nominations the President be immediately notified of the Senate's action, that any statements thereon be printed in the RECORD, and the Senate then return to legislative session.

The PRESIDING OFFICER. Is there objection?

Mr. LOTT. Mr. President, reserving the right to object.

The PRESIDING OFFICER. The majority leader.

Mr. LOTT. Mr. President, I had thought there would be five judges in this group. These are, I believe, four district judges. There was a hearing and I thought there was a plan to report out a circuit judge, but I notice she is not on this list. I inquire about the nominee—I believe a woman for whom a hearing had been held, for the fifth circuit. What happened on that nomination?

Mr. DASCHLE. Mr. President, I yield to the Senator from Vermont to answer that question.

Mr. LEAHY. To answer that question, there are some—this is a nominee I have a feeling will go through all right but some questions have been asked. The answers are not back. For all we know, they may have been mailed in to the Judiciary Committee office. We don't know.

As the Republican leader knows, we have been somewhat stymied moving papers around here. But this is one where a Senator had asked a question. I notified Senator HATCH. I thought it would be a lot easier to get the questions answered than to bring the name up. Once they are answered, I expect the nominee to go through easily. That follows the tradition our committee has followed for 25 years under both Republicans and Democrats. If they have a question, we put them on the docket, I hope the question would be answered, and she would be on the next Exec.

I hope we will get back into our offices so we can find out if that material is there.

Mr. LOTT. I withdraw my objection, Mr. President.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. DASCHLE. I now ask unanimous consent it be in order to ask for the yeas and nays on each of the nominees with one show of seconds.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DASCHLE. As in executive session, I now ask for the yeas and nays on the nominations.

The PRESIDING OFFICER. Is there a sufficient second? There appears to be a sufficient second.

The yeas and nays were ordered.

Mr. LEAHY. If the Senator will yield for a moment, I also point out the U.S. attorney of North Carolina, U.S. attorney of Michigan, other U.S. attorneys—of North Carolina, one of Arkansas, one of Mississippi, one of Missouri, one of Nevada, one of Maryland, one of

West Virginia, one of Louisiana, one of Illinois, one of Washington, one of West Virginia—are also cleared. That could be done, I assume, on a voice vote. They are all nominated by President Bush. The vast majority of them were recommended by Republican Senators. They have all been cleared, and they are ready to go.

Mr. DASCHLE. I thank the Senator from Vermont. We will attempt to schedule votes on those nominees as well. As you say, it may not require a rollcall. If that is the case, perhaps we could do those as well today.

For the interest and information of all Senators, beginning at 2:15 then, this afternoon we will have four rollcall votes. The first will be 15 minutes, followed by a subsequent 10-minute vote on the three remaining judicial nominees.

So Senators ought to be here, stay on the floor, and vote so we can expedite these votes at that time.

I also say it is my desire to move to proceed to the foreign operations appropriations bill unless there is a colleague on the Senate floor. This will not be a matter that will be taken lightly. If for whatever reason Senators choose to leave the floor, and there is an opportunity for me to make that motion, it will be made.

I warn Senators about that possibility between now and the hour of 2:15 this afternoon. I yield the floor.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. BYRD. Mr. President, before the Senator from Vermont leaves, I noted there are two nominations on the calendar: Thomas E. Johnston of West Virginia to be United States Attorney for the Northern District of West Virginia, and Karl K. Warner, II, to be United States Attorney for the Southern District of West Virginia. Have these been cleared?

Mr. LEAHY. I have just checked this morning. I am hoping they are going to be cleared by the end of the day, I tell the distinguished senior Senator from West Virginia.

Again, as he knows, he having let us use his office as temporary quarters for hearings, we have been operating under some difficulty. A lot of our paperwork is in the Judiciary Committee rooms in Dirksen or in my office in the Russell Building. Normally, I could answer his question immediately.

I asked this morning that we make sure they are cleared. I know they want to get them in West Virginia. I know they have been approved by the distinguished senior Senator from West Virginia and by his colleague. I am hoping that we can have them cleared quickly.

Incidentally, nominations were reported last Thursday after most of the Capitol closed down. We were still able to get a quorum because of the Members who stayed in town so we could report them, even though we had recommendations from the other side to get out of here. I appreciate those Senators who stayed so we could get that quorum and get them out.